

**United States District Court
District of New Mexico**

UNITED STATES OF AMERICA

V.

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1997)

Lorenzo Martinez-Gaitan

Case Number: 11-2289 PO**Nia Rucker, Appointed**

Defendant's Attorney

THE DEFENDANT:

, pleaded guilty to count(s) **Complaint**

G pleaded nolo contendere to count(s) _____

which was accepted by the court.

G was found guilty on counts(s) _____

after a plea of not guilty.

Title & Section	Nature of Offense	Date of Offense	Count Number(s)
8:1325(a)(1)	ILLEGAL ENTRY	12/9/11	One

The Defendant waived a presentence investigation and the Court finds that there is sufficient information in the record to enable the Court to exercise sentencing discretion without a presentence report.

Upon the government's oral motion to remit the payment of the Special Assessment, such assessment is hereby ordered remitted.

The defendant is sentenced as provided in pages 2 of this judgment.

G The defendant has been found not guilty on count(s) _____

G Count(s) _____ (is)(are) dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's Soc. Sec. No.: _____

Defendant's Date of Birth: _____

Defendant's USM No.: 64543-05112/14/11

Defendant's Residence Address:

Defendant's Mailing Address:

Lourdes A. Martinez

Signature of Judicial Officer

Lourdes A. Martinez

U. S. Magistrate Judge

Name & Title of Judicial Officer

12/15/11

Date

DEFENDANT: Lorenzo Martinez-Gaitan
CASE NUMBER: 11-2289 PO

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of prisons to be imprisoned for a total term of 6 days or time served, whichever is less.

It is further ordered that the defendant shall be given credit for any time spent in official detention in connection with this case, pursuant to 18 U.S.C. 3585.

The Court finds the defendant is subject to deportation and recommends that the Immigration and Naturalization Service begin deportation proceedings during the service of sentence pursuant to the Institutional Hearing Program. It is the Court's intent that an Order of Deportation be executed and that deportation take place immediately upon the defendant's release from custody.

As this is a Class B misdemeanor conviction, the sentencing guidelines do not apply.

Within fourteen (14) days of the entry of the judgment, you have the right to appeal the final sentence of this Court.

☐ The court makes the following recommendations to the Bureau of Prisons:

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ a.m./p.m. on _____.

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____.

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
 Deputy U.S. Marshal